

Defendant City of Houston (the “City”) submits the following objections and counter-designations to Plaintiffs’ Proffer of Deposition Testimony. By including an objection or counter-designation on this list, the City does not represent or stipulate that (i) it will or will not seek to admit the designated testimony as evidence; or (ii) the designated testimony (or subject matter of the designated testimony) would or would not be admissible if City seeks to introduce it.

Moreover, the City may withdraw objections or counter-designations depending on the Court's pre-trial rulings or how the witnesses testify, so this list should be considered a good faith list of the City's position as of the date of these objections.

By not objecting to designated testimony, the City does not stipulate that the deposition testimony is admissible at trial. Nor does the City waive its right (i) to assert an objection at trial based on the circumstances at the time; or (ii) to argue, by motion in *limine* or otherwise, that specific deposition testimony or a particular subject matter described in designated testimony should not be admitted as evidence or otherwise discussed in front of the jury. .

Finally, City of Houston reserves the right to amend this list subject to the pre-trial orders of the Court (including orders as to the length or format of trial) and the pre-trial disclosures and/or presentation of trial evidence by Plaintiffs, including amendments that add or remove objections or counter-designations.

Dated: October 25, 2024

Respectfully submitted:

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**ATTORNEYS FOR
DEFENDANT CITY OF HOUSTON**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was sent to all counsel of record on this the 25th day of October, 2024, pursuant to the Federal Rules of Civil Procedure.

/s/ Alistair B. Dawson
Alistair B. Dawson

GLOBAL OBJECTIONS

The City globally objects to the designations of Art Acevedo, Nadeem Ashraf, M. Beynon, M.D., Isaac Dupplechain,¹ Paul Follis, Jonathan French, Gerald Goines, Cedell Lovings, Son Nguyen, and Erik Termeulen² under Federal Rule of Civil Procedure 32(a)(1)(4),³ and/or any attempt by Plaintiffs to introduce deposition testimony and then also examine the same witness live at trial. Additionally, the City globally objects to all deposition designations touching on the subjects addressed in the City's pending Motions in Limine.

SON NGUYEN OBJECTIONS

The City make the following objections:

Page/Line	Objections
9:10-10:11	402, 403
23:10-24:15	602, Foundation
40:1-51:15	402, 403
52:9-53:1	402, 403
56:18-57:7	402, 403
57:24-58:15	402, 403, Foundation, 602
59:11-60:19	402, 403, Foundation, 602

¹ The portions outside the scope of 30(b)(6) in relation to Federal Rule of Civil Procedure 32(a)(1)(4).

² The portions outside the scope of 30(b)(6) in relation to Federal Rule of Civil Procedure 32(a)(1)(4).

³ Subject to the parties to this case at the time of trial.

62:4-18	402, 403, Foundation, 602
65:3-11	402, 403, Foundation, 602
97:13-98:18	402, 403
104-105:16	402, 403
121:7-16	402, 403
122:9-25	402, 403, 602, Foundation
164:22-165:2	402, 403, 802

ART ACEVEDO OBJECTIONS

They City makes the following objections:

Page/Line	Objections
35:2-7	402, 403, 602
42:23-43:4	402, 403, 602
44:18-22	403, Foundation
48:14-25	402, 403, 802
69:12-17	403, 602, Foundation
70:9-16	403, 602, Foundation
72:5-23	403, 602, Foundation
78:25-87:3	402, 403

The City offers the following counter-designations under Federal Rule of Civil Procedure 32(a)(1)(6):

Page/Line	
9:13-11:12 (Minus Objections)	Optional Completeness
43:13-44:17 (Minus Objections)	Optional Completeness
61:25-62:14	Optional Completeness
65:15-67:13	Optional Completeness

NADEEM ASHRAF OBJECTIONS

The City makes the following objections:

Page/Line	Objections
8:6-15	402, 403, 404
11:20-7	402, 403, 404
12:16-24	402, 403, 404
13:9-14:1	402, 403, 404
25:13-26:5	402, 403
28:16-29:12	402, 403, 404
36:21-37:12	602, Foundation
61:2-11	402, 403, 602, Foundation
70:7-12	402, 403, 602
76:3-11	402, 403
79:6-16	602, 802
79:17-80:5	402, 403
81:1-13	402, 403, 802
89:7-15	402, 403
101:6-102:9	402, 403
103:15-21	602, Foundation
105:2-7	402, 403
111:7-20	402, 403

The City offers the following counter-designations under Federal Rule of Civil Procedure 32(a)(1)(6):

Page/Line	
11:12	Optional Completeness
84:12-23	Optional Completeness
85:3-13	Optional Completeness

ISSAC DUPLCHAIN OBJECTIONS

The City makes the following objections:

Page/Line	Objections
8:24-10:24	402, 403, 602
32:4-9	402, 403, 802
70:7-71:25	402, 403, 802
73:12-25	402, 403, 802
81:19-82:2	402, 403
93:14-94:23	403
95:1-97:4	403
97:11-17	402, 403
97:18-25	402, 403, 602
98:1-8	402, 403, 602
98:9-99:4	402, 403, 602
104:4-25	402, 403, 404

The City offers the following counter-designations under Federal Rule of Civil Procedure 32(a)(1)(6):

Page/Line	
35:4-20 (minus objections)	Optional Completeness
36:25-37:23 (minus objections)	Optional Completeness
58:22-60:14 (minus objections)	Optional Completeness
68:12-69:6 (minus objections)	Optional Completeness

PAUL FOLLIS OBJECTIONS

The City makes the following objections:

Page/Line	Objections
12:22-13:5	402, 403, 602
40:13-40:18	402, 403, 602, 802
84:24-86:2	402, 403, 602, 802
116:6-116:14	402, 403, 602
124:16-125:3	402, 403, 602
167:22-168:3	403, Foundation
168:114-19	402, 403, 602
168:20-169:4	602
170:10-21	403, 602
179:18-180:5	403, 602
181:13-182:3	403, 602
182:25-183:7	403, 602
200:6-13	402, 403, 602, Foundation
200:14-22	402, 403, 602
201:9-202:5	402, 403, 602, Foundation
202:11-17	602, Foundation
203:11-204:8	402, 403, 602, Foundation
205:14-206:11	403, 602
206:21-206:25	402, 403, 602, Foundation
207:1-11	402, 402, 602, Foundation
207:18-23	402 403, 602, Foundation

The City offers the following counter-designations under Federal Rule of Civil Procedure 32(a)(1)(6):

Page/Line	
39:18-40:5	Optional Completeness
115:23-116:5 (minus objections)	Optional Completeness

166:20-167:15 (minus objections)	Optional Completeness
172:6-173-4	Optional Completeness

JONATHAN FRENCH OBJECTIONS

The City makes the following objections:

Page/Line	Objections
21:18-22:15	402, 403
22:22-23:3	402, 403
33:5-19	402, 403, 404
41:13-42:15	402, 403, 404
43:17-19	402, 403, 404
48:22-49:5	402, 403, 404
52:10-52:23	402, 403
101:9-102:2	402, 403, 602, Foundation
112:25-113:12	402, 403
133:3-134:5	402, 403
134:14-135:19	402, 403, 602, Foundation
135:25-136:21	402, 403, 602, Foundation
137:7-14	402, 403, 602
139:22-140:23	402, 403
141:1-142:15	402, 403
144:21-145:4	402, 403
147:10-148:5	402, 403
148:16-149:22	402, 403, Foundation
151:8-13	402, 403
152:19-153:1	402, 403
154:7-13	402, 403
157:3-22	402, 403
157:23-158:10	402, 403, 602
158:25-160:13	402, 403, 602
161:10-162:24	402, 403
163:23-164:6	402, 403

164:23-166:24	402, 403
167:20-168:4	602, Foundation
172:22-173:4	402, 403, 602, Foundation
173:24-174:5	402, 403
174:6-174:22	402, 403, 602, Foundation

The City offers the following counter-designations under Federal Rule of Civil Procedure 32(a)(1)(6):

Page/Line	
9:24-10:8 (minus objections)	Optional Completeness
166:25-12 (minus objection if above admitted)	Optional Completeness.

GERALD GOINES OBJECTIONS

The City objects to the entirety of Plaintiffs' designation under Rule 403, 602, and lacking foundation. The City also objects to significant portions under Rule 402. Additionally, the City objects to all portions touching on subjects covered by the City's currently pending Motions in Limine based on the grounds outlined in the City's pending Motions in Limine.

CEDELL LOVINGS (VOL 1) OBJECTIONS

The City makes the following objections:

Page/Line	Objections
6:25-7:10	402, 403
17:12-18:18	403, 602
40:12-16	402, 403, 602, Foundation
41:4-11	402, 403, 602, Foundation
41:22-42:1	402, 403, 602, Foundation

42:11-25	402, 403, Foundation
43:4-23	402, 403, Foundation
44:8-21	402, 403, Foundation
61:2-18	402, 403, 602
66:6-13	402, 403, 602
70:19-23	403, 602
76:2-22	402, 403
76:25-18	402, 403

The City offers the following counter-designations under Federal Rule of Civil Procedure 32(a)(1)(6):

Page/Line	
16:20-17:7	Optional Completeness
27:24-28:4 (minus objections)	Optional Completeness

CEDELL LOVINGS (VOL 2) OBJECTIONS

The City makes the following objections:

Page/Line	Objections
55:16-56:9	402, 403, 602
56:14-25	402, 403

MARIANNA BEYNON, MD OBJECTIONS

The City makes the following objections:

Page/Line	Objections
19:12-20:11	402, 403, 802
28:3-4	402, 403
28:6-8	402, 403
28:13-14	402, 403

29:25-30:1	402, 403
30:9-10	402, 403
31:10	402, 403
31:14-15	402, 403
31:20-21	402, 403
33:18	402, 403
34:5-7	402, 403
37:8-9	402, 403
37:23	402, 403
38:10-11	402, 403
38:17	402, 403
38:24	402, 403
39:13-14	402, 403
39:20	402, 403
39:24	402, 403
40:4	402, 403
40:11-12	402, 403
41:14-15	402, 403
43:2	402, 403
43:5	402, 403
45:9-10	402, 403
46:3-4	402, 403
47:15	402, 403
47:20-21	402, 403
48:2	402, 403
48:13-14	402, 403
48:19-21	402, 403
51:13-14	402, 403
51:19	402, 403
52:1-2	402, 403
52:8	402, 403
52:15	402, 403
52:24-25	402, 403
55:14	402, 403

54:8	402, 403
54:16-17	402, 403
56:1-2	402, 403
59:1	402, 403
59:7-8	402, 403
59:14	402, 403
59:16	402, 403
61:22-23	402, 403
62:12-13	402, 403
63:1-2	402, 403
63:7	402, 403
63:21	402, 403
64:1	402, 403
64:16	402, 403
65:3-4	402, 403
65:9	402, 403
66:2	402, 403
69:6-7	402, 403
70:8-9	402, 403
71:13-14	402, 403
72:1	402, 403
72:7-8	402, 403
72:15-16	402, 403
72:20	402, 403
72:22-23	402, 403
72:25-73:1	402, 403
73:24	402, 403
74:17	402, 403
74:23	402, 403
76:5	402, 403
76:15-16	402, 403
77:5	402, 403
77:12	402, 403
77:20	402, 403

77:22-78:4	602, Foundation
78:23	402, 403
81:14-15	402, 403
82:22-23	402, 403
83:4-5	402, 403
83:8-21	402, 403, 602, Foundation
84:3-34	402, 403
86:2-3	402, 403
87:11-12	402, 403
88:16	402, 403
93:9	402, 403
91:25-94:1	402, 403
94:14-16	402, 403
94:19-20	402, 403
95:9-10	402, 403
95:16	402, 403
96:16	402, 403
96:25	402, 403
97:9	402, 403
97:15	402, 403
98:24	402, 403
99:3	402, 403
99:9-10	402, 403
99:13	402, 403
100:15-16	402, 403
100:23-24	402, 403
101:22-24	402, 403
104:10-11	402, 403
104:21	402, 403
108:18-20	402, 403
110:13-14	402, 403
110:20	402, 403
111:18	402, 403
113:8	402, 403

113:14-15	402, 403
113:17-25	402, 403
114:4	402, 403
115:4	402, 403
115:9	402, 403
115:13-14	402, 403
116:9	402, 403
116:12	402, 403
116:18	402, 403
117:20	402, 403
119:7	402, 403
119:22	402, 403
120:16	402, 403
120:22	402, 403
121:14	402, 403
121:18-19	402, 403
121:22-23	402, 403
122:7	402, 403
122:15	402, 403
124:23	402, 403
125:6	402, 403
125:21-22	402, 403
126:9	402, 403
126:22-23	402, 403
127:3-4	402, 403
127:8-9	402, 403
127:24-25	402, 403
126:15-16	402, 403
129:15-16	402, 403
130:23-24	402, 403
131:6-8	402, 403
131:11-12	402, 403
132:13	402, 403
133:22	402, 403

134:17	402, 403
135:19	402, 403
136:7	402, 403
137:15	402, 403
139:3	402, 403
139:18-19	402, 403
140:3	402, 403
140:14	402, 403
140:17-18	402, 403
140:21	402, 403
140:25	402, 403
141:1	402, 403
141:6-7	402, 403
142:9	402, 403
142:10-11	402, 403
142:21-22	402, 403
146:19-20	402, 403
147:10	402, 403
147:17-18	402, 403
150:13	402, 403
150:17	402, 403
151:12	402, 403
156:8	402, 403
157:16	402, 403
157:20	402, 403
159:9-10	402, 403
160:3	402, 403
162:8	402, 403
162:15	402, 403
163:9-11	402, 403
163:24	402, 403
164:23	402, 403
166:24	402, 403

The City offers the following counter-designations under Federal Rule of Civil Procedure 32(a)(1)(6):

Page/Line	
65:18-20	Optional Completeness
84:12-16	Optional Completeness
84:19-25	Optional Completeness
85:3-9	Optional Completeness
85:12-15	Optional Completeness
85:18	Optional Completeness
93:14-20 (minus objection)	Optional Completeness

ERIK TERMEULEN OBJECTIONS

The City makes the following objections:

Page/Line	Objections
19:12-25	402, 403
20:1-7	402, 403
21:23-25	402, 403
24:7-25:11	402, 403
44:1-46:25	402, 403
47:10-18	402, 403, 602
52:3-53:25	402, 403
54:1-2	402, 403
64:12-66:2	402, 403
76:12-77:9	402, 403